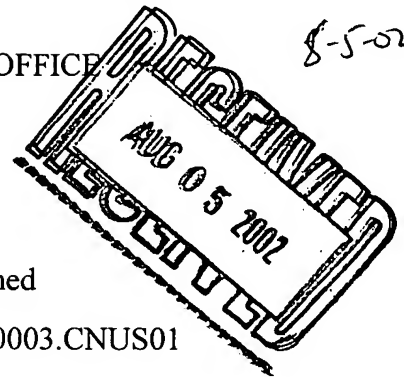


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CP2151#4
BJ
8-5-02



In re application of: Wang et al.

Appl. No. 10/075,051

Filed: February 12, 2002

For: METHOD OF AND SYSTEM FOR
ALLOCATING RESOURCES TO
RESOURCE REQUESTS BASED ON
APPLICATION OF PERSISTENCE
POLICIES

Art Unit: 2151

Examiner: Unassigned

Atty. Docket: 02453.0003.CNUS01

Information Disclosure Statement

RECEIVED

JUL 18 2002

Technology Center 2100

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required, or
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2), or
 - ☐ c. The United States Patent and Trademark Office is authorized to charge \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p) to our Deposit Account No. 08-3038 referencing docket number _____.
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No.

_____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i), and

- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date

under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37
C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed
PTO-1449, and to indicate in the official file wrapper of this patent application that the
documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number
02453.0003.CNUS01.

Respectfully submitted,

Mike Lindsey

Michael K. Lindsey, Reg. No. 39,178

Date: 7/10/02

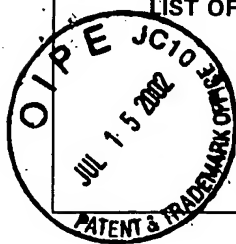
HOWREY SIMON ARNOLD & WHITE, LLP
Box No. 34
301 Ravenswood Avenue
Menlo Park, CA 94025
(312) 595-1239

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail
in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

Date: 7/10/02

Signature *Mike Lindsey*



LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

PTO FORM 1449

ATTY. DOCKET NO.

02453.0003.CNUS01

APPLICATION NO.

10/075,051

APPLICANT

Wang et al.

FILING DATE

February 12, 2002

GROUP

2151

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	6,044,468	03/28/02	Osmond	713	201	
	2.	6,298,280 B1	10/02/01	Coile et al.	709	227	
	3.	6,247,060 B1	06/12/01	Boucher et al.	709	238	
	4.	6,195,703 B1	02/27/01	Blumenau et al.	709	238	
	5.	6,091,733	07/18/00	Takagi et al.	370	401	
	6.	6,018,516	01/25/00	Packer	370	231	

OTHER REFERENCES

(Including Author, Title, Date, Pertinent Pages, Etc.)

	7.	Dykstra; <i>Gigabit Ethernet Jumbo Frames: and why you should care</i> ; http://sd.wareonearth.com/~phil/jumbo.html (December 20, 1999)
	8.	Hornig, <i>Network Working Group RFC: 894; DARPA Internet Program Protocol Specification</i> (April, 1984)
	9.	Information Sciences Institute, University of Southern California, <i>Internet Protocol RFC: 791; DARPA Internet Program Protocol Specification</i> (September 1981)
	10.	Information Sciences Institute, University of Southern California, <i>Transmission Control Protocol / RFC: 793; DARPA Internet Program Protocol Specification</i> (September 1981)
	11.	Postel, <i>Network Working Group RFC: 879; DARPA Internet Program Protocol Specification</i> (November 1983)
	12.	
	13.	
	14.	
	15.	
	16.	
	17.	
	18.	
	19.	
	20.	
	21.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.